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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Fifty-second session

SUMMARY RECORD OF THE 1255th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 9 March 1998, at 10 a.m.

Chairman: Mr. ABOUL-NASR

later: Mr. YUTZIS

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The meeting was called to order at 10.10 a.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 7) (continued)

Initial and second periodic reports of the Czech Republic (CERD/C/289/Add.1; HRI/CORE/1/Add.71) (continued)

1. At the invitation of the Chairman, the delegation of the Czech Republic took places at the Committee table.

2. The CHAIRMAN, after welcoming Mrs. Zou, who was resuming her duties as a member of the Committee, invited the experts wishing to do so to put additional questions to the delegation of the Czech Republic.

3. Ms. McDOUGALL said that she was particularly concerned about the situation of pupils and students of the Roma community in educational institutions, the ineffectiveness of penal sanctions against the perpetrators of racist violence and the lack of effective legislation to apply the guarantees set forth in the Charter of Fundamental Rights and Freedoms and in the International Convention on the Elimination of All Forms of Racial Discrimination.

4. Since there was no information in the periodic report (CERD/C/289/Add.1) on what steps had been taken to encourage full implementation and observance of the Convention within public institutions, she would like the delegation to indicate what guidelines, codes of conduct or training had been provided to make State officials or employees sensitive to the issues of discrimination covered by the legal framework. She would also like to know what internal mechanisms for scrutiny had been established in public or governmental institutions to monitor observance of the law. In that regard, she would be grateful if the delegation could specify whether the office of ombudsman apparently provided for in the Constitution had been established and, if so, whether it was in operation.

5. She understood that the Charter of Fundamental Rights and Freedoms applied only to acts of State authorities, and there appeared to be no legal framework for the prohibition of racial discrimination by private actors. The law on consumer protection and the labour law seemed to be inadequate for those purposes. Could the delegation comment on that subject?

6. She thought that it would be useful for the Committee to know what methods were employed by the Czech authorities to measure the impact on society of the anti-discrimination laws in force and whether there were patterns of discrimination that needed to be addressed in particular. While she understood the sensitivities to collecting population data disaggregated by race, experience in the United States showed that approach to be essential. It was the only way to gauge the effectiveness of the legal regime and to determine whether it had any unintended discriminatory effects on particular racial communities.

7. She noted with concern that the system in place relied to a large extent on the victims of acts of racial discrimination themselves initiating legal

action, with the assistance of counsel. Since members of minority groups generally had only very limited resources, she would like to know to what extent they had access to counsel and whether legal assistance could be considered adequate and effective. It would also be interesting if the Czech delegation could compare the data on charges, prosecutions and convictions with the data on reported cases of crimes motivated by racial hostility, as mentioned in paragraphs 35 and 36 of the report.

8. She would like to know what was the percentage of persons from minority groups in elected representative bodies at national and local levels and in decision-making positions.

9. Since all rights appeared to depend on citizenship and there had been criticism of the impact of the citizenship law on members of the Roma community, she thought that it would be useful for the Committee to know what efforts were being made by the Czech authorities to ensure widespread knowledge, particularly among the Roma, about the possibility of a waiver of the requirements laid down by the Ministry of the Interior for the acquisition of citizenship (CERD/C/289/Add.1, paras. 89 and 90).

10. It would also be useful for the Committee to have some clarification about the "factors underlying poor school performance of Roma children" (para. 134).

11. The report mentioned programmes to prevent inter-ethnic conflicts (paras. 160 and 161). Since those mechanisms primarily targeted the minority communities, she would like to have more information about programmes in place to address prejudices in the majority population.

12. Mr. SHAHI thanked the Czech delegation for the detailed information it had provided to the Committee, particularly on the enjoyment of human rights by members of the Roma community. In general, he was still very concerned about the predicament of that group, which, although recognized as a national minority and comprised of citizens of the Czech Republic, was nevertheless singled out for persistent persecution. The Government had taken steps to prosecute persons responsible for racist acts and he would like to know how many charges and convictions related to offences against the Roma. Also, how many problems had the special adviser on Roma issues (para. 111) been able to prevent?

13. According to the report, 32,903 people identified themselves as Roma. He would like to know whether all of them had Czech citizenship, how many received aid from the State and how many were entitled to social security or enjoyed the benefits of the health insurance schemes.

14. Concerning the right to education and training, it would be useful to know how many primary and secondary schools had been established for the Roma and how many Roma obtained university degrees or received study grants from the State.

15. He was surprised to read in paragraph 133 of the report that the Roma minority had never requested education in its own language. He could not but

wonder about the reasons for that attitude. Was it due to a certain lack of interest among the Roma in their own culture or to fear of being singled out and exposed to the prevailing hostility?

16. He noted from paragraph 135 of the report that more "preparatory classes" were being organized for Roma children, yet there were proportionally fewer facilities for Roma pupils than for those of other communities. It would seem, moreover, that it was largely the members of other communities that benefited from the facilities intended for the Roma. Did that not worry the authorities?

17. Paragraphs 147 to 156 of the report described in detail the system for enabling Romas to obtain reparation in criminal and civil procedures. However, the report mentioned only one case (para. 40) in which damages had been awarded to Roma victims. He would like to know whether there had been any other instances in which Roma victims of racist acts had been granted compensation.

18. The Polish national minority in northern Moravia, which comprised 60,000 people, had 30 schools and it would be interesting to know how many schools there were for the 33,000 members of the Roma community.

19. He then read from a document issued by the European Roma Rights Centre, an organization based in Budapest and with a full-time representative in the Czech Republic, which commented on the situation of the Roma community in the Czech Republic and confirmed, or even amplified, the criticism made by members of the Committee.

20. According to the Centre, the measures taken by the Government were insufficient to ensure the effective implementation of the Convention, particularly with regard to articles 2, 4 and 5. It was reported that discrimination against the Roma remained widespread and the Government had yet to enact legislation or administrative regulations expressly prohibiting racial discrimination. There was some evidence of arbitrary and discriminatory application of the 1993 Czech citizenship law with respect to the Roma. As a result, large numbers of Roma had reportedly been denied access to citizenship and deprived of voting rights and social benefits.

21. Prominent public officials were reportedly continuing to make racist statements suggesting, among other things, that the Roma must be housed in separate areas, preferably outside the Czech Republic.

22. The Government was said to have failed to ensure the Roma and other racial minorities equal protection of the law, thus allowing the fundamental rights of the Roma to be violated in all aspects of daily life and, in particular, in the field of education.

23. The Czech Republic had reportedly not given effect to the provisions of article 2 by promulgating a general policy of eliminating racial discrimination in all its forms, and the decisions of its courts mostly tended to condemn racist speech but not racist acts as such.

24. Lastly, particular criticism was levelled against the Czech citizenship law, which had reportedly deprived thousands of Roma of Czech citizenship and all the rights they had enjoyed previously as Czechoslovak citizens.

25. Despite the gloomy picture which had just been painted, he wished to emphasize that the Czech authorities had taken various worthwhile steps in favour of the Roma community, particularly in the field of training and with regard to participation in cultural activities. In that connection, the building of a museum of Roma culture and a monument to Roma victims of the Second World War were gestures that showed the Government's concern for that population group. The only television programme intended for the Roma, however was broadcast just twice a month. Overall, he took note of the positive aspects of the measures to improve the circumstances of the Roma in the Czech Republic, but wished to emphasize that the State party still had much to do to give full effect to the Convention.

26. Mr. SHERIFIS said that he would first of all like to know what steps the Czech Republic had taken to endorse the proposed amendments to article 8, paragraph 6, of the Convention and whether the State party intended to make the declaration under article 14 of the Convention.

27. He was pleased to note that the Czech Republic had included a large amount of information on the implementation of article 7 in its report. He would nevertheless like to know what specific steps were being taken to make the Convention and the Committee's concluding observations known to the public.

28. He shared Ms. McDougall's concerns about the implementation of article 5 (c) regarding equal access to public service. Considering the need to ensure representation of the minorities in the executive, legislative, judicial and administrative organs of the State, while bearing in mind the requirement that "the rules or practices of the State authorities must not entail preferential or discriminatory treatment of any group of citizens seeking access to public offices" (para. 74 of the report), he wondered how the Czech Republic made sure that members of all minorities took part in the conduct of public affairs in all areas. Did it apply a quota system? Since the population of the Czech Republic included some large minorities, it would be particularly useful for the Committee to learn about its experience in that regard.

29. Mr. GARVALOV said that he had read with great interest the report of the Czech Republic, and especially the explanations it provided on certain aspects of the implementation of the Convention. He noted that the various minorities of the Czech Republic were designated by the term "nationality", with the exception of the Moravian community, which was described as a "national minority". It would be interesting to know whether that difference was attributable to the fact that the Moravian minority had historical roots in Czech territory whereas the other minorities came from neighbouring States. He would also like to know how the Czech Republic interpreted the term "national minority", since there were two schools of thought on the subject - one used the term to designate a community long established in national territory, and the other to refer to persons originating in neighbouring States.

30. As a general comment, he regretted to have to say that the Roma were treated on the whole very badly in all European countries without exception.

31. Mr. SOMOL (Czech Republic), Permanent Representative and head of the delegation, invited the members of the Committee wishing specific information about the situation of the Roma community to refer to the report of the Council for National Minorities of the Government of the Czech Republic, entitled "Report on the Situation of the Romani Community in the Czech Republic and Government Measures Assisting its Integration in Society", a document of more than 100 pages that had been issued in October 1997, and could be consulted on the Internet at http://www.vlada.cz.

32. Before giving the floor to the members of his delegation with expertise in dealing with particular issues, he wished to emphasize the magnitude of the task facing the Czech Government due to the fact that recent upheavals in his country necessitated, among other things, a complete overhaul of its economic and legal systems and a radical change in ways of thinking, habits and relations among citizens and between citizens and the administration. The brief experience already acquired had shown that whatever was done in haste had to be redone a few years later and that it was better to moderate the pace of change. The transition to a free market economy, and greater individual responsibility was causing come hardship, particularly for vulnerable groups.

33. Mr. SOVÁK (Czech Republic), Judge of the Supreme Court, said that his numerous responsibilities involved him both in the preparation of legal norms, or process which had to be completed at the earliest possible date, and in the practical application of those norms. The basic principles governing the life of the Czech Republic in the public sphere were set forth in the Constitution and the Charter of Fundamental Rights and Freedoms. Paragraph 9 of the report reproduced the text of article 3 of the Charter, which gave an idea of the legislator's desire to provide strict guarantees of the equality of all citizens before the law, without distinction of any kind. Reference should also be made to paragraph 13, which indicated that, under article 10 of the constitution, the international human rights instruments were "directly applicable and superior to law"; thus any law incompatible with the Convention could be repealed.

34. The public authorities were seeking to implement that system in part through the activities of an institute for the continued training of judges and prosecutors, and in part through various actions and publications aimed at familiarizing those officials and members of the police force with practices ensuring respect for the Constitution, the Charter and international instruments.

35. Mr. POSPÍŠIL (Czech Republic), Secretary of the Council for National Minorities, replied to the questions concerning the participation of minorities in public life and political decision-making. There were no quotas of seats reserved for any particular group, but candidates from the Roma, Polish and German minorities had been elected to the first Chamber of Deputies in 1990; 12 national minorities were represented in the Council for National Minorities, and representatives of the Roma community also served on the Inter-Ministerial Commission for Roma Community Affairs. In addition, there were coordinators for Roma issues in several ministries, including the

Ministry of Education, Youth and Sports, the Ministry of the Interior and the Ministry of Labour and Social Affairs, and all the professionals in those services were Roma. Lastly, the Ministry of Culture and the Ministry of Education, Youth and Sports had established special advisory councils for national minorities issues, and representatives of the national minorities had been invited to serve on those bodies.

36. The main task currently was to implement the latest governmental resolution on the Roma community, which involved the establishment of a post of adviser on Roma issues in the district offices. The Ministry of the Interior was endeavouring, for its part, to increase the number of Roma police officers and some large cities had set up their own advisory councils on the model of the Council for National Minorities of the Czech Government.

37. In all, 153 civil associations had been established by the Roma, German, Polish, Slovak, Ukrainian, Hungarian, Ruthenian, Greek, Croat, Macedonian and Lithuanian minorities.

38. The Slovak minority was a special case because of the similarity of the Czech and Slovak languages and the fact that Czechs and Slovaks had a common history. There was consequently no great willingness among Slovaks to express themselves as a minority. Slovak associations, like other civil associations, were supported by the Ministry of Culture, which provided them with an annual grant of US$ 53,000. The State also allocated US$ 206,000 for three Slovak periodicals.

39. Mr. BUREŠ (Czech Republic), Deputy Director of the Department of Crime Prevention, Ministry of the Interior, referring to the question of citizenship, informed the Committee that since the adoption of Law No. 40/1993, following the partition of the Federation, 382,500 Slovaks, including members of the Roma community, had acquired Czech citizenship. Originally, the right to citizenship had been limited to persons with no convictions for intentional offences within the previous five years, but that provision had been criticized by international organizations, including the Council of Europe, for discriminating against a certain group of the Roma community. The law had therefore been amended in 1996 and the provision in question did not apply if the person concerned was Slovak and had been permanently resident in the Czech Republic at least since 31 December 1992. That amendment had been widely disseminated among the public and, of the 2,744 applications based thereon, only 6, originating from perpetrators of serious offences, had been rejected. The amnesty of 2 February 1998 would further reduce that number and the problem posed by the controversial provision was in the process of being resolved.

40. Cooperation with non-governmental organizations in efforts to assist persons applying for Czech citizenship was being strengthened. There were still two categories of persons for whom the process was complicated: some prisoners and some children supported by the State. The ministries concerned were currently looking into the cases of the 200 to 400 children still deprived of citizenship; as to the prisoners, an agreement concluded between the competent ministries and the Office of the United Nations High Commissioner for Refugees should ensure that each and every prisoner on Czech soil had a citizenship.

41. Mr. POSPÍŠIL (Czech Republic) pointed out that article 3 of the Charter of Fundamental Rights and Freedoms not only guaranteed non-discrimination but also protected a person's free decision as to his nationality. In practice, except to exercise the right to education in one's own mother tongue or when answering questions during a census, no one had to declare his nationality.

42. He wished, furthermore, to clear up the confusion caused by the use of the term "Moravian" to designate a national minority. The Moravian population in fact had the same language and culture as the majority Czech population but, during the 1991 census, not understanding the term "national minority", the inhabitants of Moravia had wished to declare their affinity to a historical region. There was no Moravian language and only some nationally-oriented political parties were taking up the "Moravian issue".

43. Mr. SOVÁK (Czech Republic), replying to questions concerning the right of the Roma to use their own mother tongue, said that, as indicated in paragraphs 200 et seq of the report, there was no official language in the Czech Republic. The only text specifying a language was the Code of Criminal Procedure, which stipulated that the official language for criminal proceedings was Czech. Nevertheless, any defendant who did not understand or speak Czech could avail himself of the services of an interpreter, including a Roma language interpreter.

44. Mr. POSPÍŠIL (Czech Republic) said that the discrepancy between the official number and the real number of members of the Roma national minority living in the country was to be explained partly by the fact that until 1989 there had been no official Roma identity and partly by a certain reluctance of people to define themselves as Roma. The notion of a Roma community persisted because the rest of the population saw the Roma as constituting a different group. It should, furthermore, be pointed out that the demands of the Roma were more social than political.

45. As to the question of how the State recognized a given national minority, the Government was guided by the principles set forth in an official document issued in February 1994, entitled "Concept of the governmental approach to the national minorities issues in the Czech Republic", the general idea being that a national minority was composed of citizens desiring to be recognized as members of that minority. The State, for its part, recognized that minority when its members had established their own organization.

46. Ms. HORÁKOVÁ (Czech Republic), Executive Vice-President of the Inter-Ministerial Commission for Roma Community Affairs, said that the Government was aware of the need for the Roma to be able to participate in public life. The Inter-Ministerial Commission for Roma Community Affairs, made up of representatives of various ministries and of the Roma community, had been established in 1997 to evaluate the measures taken by the public authorities on behalf of the Roma community and to prepare reports each year on that community. At the district level, advisers on Roma issues had the task of identifying ways of avoiding conflicts - often the result of misunderstandings - between the Roma community and the public authorities. Since the advisers had been appointed fairly recently, it would be possible to judge their effectiveness only in five to six months' time.

47. During the communist era, emphasis had been placed on the assimilation of the Roma community with the rest of the population and 60 per cent of Roma children did not speak Roma. In 1995, preparatory classes had been opened for Roma children to facilitate their integration within the educational system. Outside school, three organizations, which received State subsidies amounting to CK 3 million, arranged cultural activities for the Roma. The Government was also providing information relating to the Roma on the Internet.

48. Mr. CINK (Czech Republic), Director of the Department for International Relations, Ministry of Education, Youth and Sports, indicated that article 25 of the Charter of Fundamental Rights and Freedoms enshrined the right of citizens belonging to minorities to receive an education in their own language. Only the Polish community had thus far made such a request and there were currently about 30 special schools - ranging from kindergartens to secondary schools - serving that community. All Polish children could now attend courses in their own mother tongue. It should be noted that, for economic reasons, the Ministry of Education could not normally open classes for less than 18 pupils. Exceptions were, however, made to that rule and numerous courses in Polish were provided to smaller groups of about a dozen pupils. The teachers belonged to the Polish community and had received appropriate training, both in the Czech Republic and in Poland. In addition, the Ministry was publishing textbooks on nearly all subjects in Polish.

49. A primary school had, moreover, been opened in Prague for the city's Slovak community, which numbered about 32,000, but there was still a shortage of pupils to fill the classes.

50. It should also be pointed out that the Roma community had never asked for courses to be organized in their own language for their children.

51. In order to enable Roma children to adapt more easily to primary school and to complete their compulsory education, the State had instituted preparatory courses for them. Those courses were currently attended by 800 children. In 1995 the Ministry of Education had launched a new education programme targeting Roma children. It also emphasized the multicultural nature of society. To that end, a children's reader in which the main character was a Roma boy had been distributed, in the Roma language, in elementary schools. Another work tracing Roma history in Czech territory was also being distributed in all schools and teachers had been requested to use it. Lastly, there was a book dealing with national minorities issues from a civil rights perspective.

52. He was convinced that the situation of the Roma community would improve with access to education and closer cooperation between the administration and the Roma.

53. Mr. SOVÁK (Czech Republic) indicated that article 196 of the Criminal Code penalized all forms of racial discrimination, whether against groups or against individuals. When the perpetrator of a racially motivated offence used violence against a group of persons or against individuals, or threatened to cause them physical harm or kill them, or damaged their property, he was liable to the heaviest penalties.

54. Article 198 punished the authors of defamatory remarks against racial groups. Some offences were not expressly described in the Criminal Code and a codification committee had therefore been set up to revise the Code.

55. Mr. BUREŠ (Czech Republic) said that, since the creation of the Czech Republic, the public authorities had endeavoured to improve the statistical study of criminal offences. The increasing accuracy of the statistics had helped to reveal a growth in the number of racially motivated offences, from 17 cases in 1990 to 187 in 1997. In that latter year 375 people had been prosecuted for racial offences. The coordination of inquiries concerning such offences had been improved.

56. Police officers guilty of racist conduct - one case involved a police commissioner - were dismissed and the Government had taken steps to improve the training of law enforcement officials, in particular by organizing a three-year advanced course focusing on the cultural and social characteristics of the various communities, as well as on the prevention of racism and xenophobia. In addition, the police school had instituted a two-year seminar on Roma issues.

57. Furthermore, guides and manuals were distributed among members of the police force to help them deal with racially motivated offences, and a code of ethics drawing the attention of law enforcement officials to their role in society had been prepared.

58. It should be added that there were Roma in the police force and cases of racial discrimination involving the Roma were examined at the most senior level. Lastly, measures had also been taken to improve international cooperation.

59. Mr. SOVÁK (Czech Republic), referring to paragraphs 37 and 38 of the report, which discussed serious crimes with racial motives in the Czech Republic, indicated that after extremely long and slow criminal proceedings, the regional court had, following an appeal, upheld the judgement of the Písek district court, sentencing four offenders to imprisonment without suspension under section 235 of the Criminal Code. The criminal division of the Supreme Court had more recently called for the sentence handed down by the regional court to be increased, finding that there had been a violation of section 219 of the Criminal Code. The efficiency of criminal procedure had, of course, to be improved and the Government would take account of the Committee's recommendations in order to refine its legislation and ensure that there was a change in the public's attitude towards minorities.

60. There were nevertheless other, more subjective factors that had to be taken into account. Some employers were reluctant to hire Roma, even for unskilled jobs, since they regarded them as less hard-working, less motivated and less disciplined than other job-seekers. Officially, discrimination in the field of employment was prohibited by the 1991 labour legislation and persons who suffered discrimination and had sufficient evidence could lodge complaints with the employment offices and demand that those guilty be punished. To date, however, there had been practically no complaints of discrimination from Roma workers. To circumvent the law, employers sometimes required a qualification or health certificate, which the Roma could not

provide since it was a fact that they were often not as fit as individuals who had always lived in good conditions and because they were generally less skilled and had fewer opportunities for training than other candidates. They were also seen as having lower levels of morality and adaptability.

61. Two other factors might explain the high rate of unemployment among the Roma: firstly, they were concentrated geographically in regions undergoing complete restructuring, such as the mining regions; and, secondly, they were "demotivated" by the system of social benefits, which enabled a family of four persons without working to receive an income significantly higher than the minimum wage for a non-skilled worker. The Czech Government was, in fact, planning to modify that system.

62. In short, the problem was not so much one of racial discrimination as of a lower level of "employability" of the Roma. The Ministry of Labour was doing its utmost to remedy the situation through the various programmes mentioned in the report. Roma job-seekers did receive support and were given particular attention in employment bureaux, and counselling services had been set up especially for them. Employers agreeing to hire Roma workers were offered certain financial incentives, such as reduced employers' contributions for several months or partial subsidizing of wages.

63. The Ministry of Labour and Social Affairs had recently drawn up a new government policy paper proposing various measures to help persons with a "low level of employability", and it had set up an ad hoc committee to examine several projects aimed at promoting the employment of such persons.

64. Lastly, he could confirm that the Ministry of Labour had for some years had a special adviser for the Roma, who was taking an active part in developing a positive employment policy concerning the Roma community.

65. Mr. FUCHS (Czech Republic), Head of the Department for European Integration and International Relations, Ministry of Labour and Social Affairs, said that he would respond more specifically to the questions concerning the situation of members of national minorities in the field of employment. Some information on conditions of employment for aliens was given in paragraph 115 of the report. The members of national minorities, in particular the Roma, who were regarded as full Czech citizens, did not have to apply for work permits and were therefore not counted separately in the employment statistics, which distinguished only between Czech citizens and aliens. In the employment bureaux, moreover, many people did not declare themselves as Roma, and that made it very difficult to obtain accurate employment figures for members of that group. According to some estimates, however, the Roma were much more affected than the rest of the Czech population (up to 10 times more) by unemployment and particularly by long-term unemployment.

66. That could be explained in part by the fact that 95 per cent of the Roma, including 10 per cent of young people, had no occupational skills, and only about 6 per cent of jobs in the Czech labour market were unskilled jobs.

67. Mr. BUREŠ (Czech Republic), referring to the existence of organizations propagating racist ideas, said that the Czech Republic had, since the early

1990s, witnessed the appearance of a number of neo-Nazi groups, as well as skinheads, who espoused racist ideologies. Those groups were sometimes local and sometimes part of wider European groupings such as the "Blood and Honour" organization. Such ideologies were not allowed in the Czech Republic and the groups in question were therefore not registered by the Ministry of the Interior. Their activities consisted essentially in distributing leaflets and organizing concerts, which gave them the opportunity to invite foreign sympathizers and to publicize their cause and raise funds. The police took action whenever racist slogans were shouted, but it was difficult for the authorities to prohibit such demonstrations without leaving themselves open to criticism from human rights groups advocating freedom of expression.

68. A recent problem was the implantation of those groupings on the Internet, where it was much more difficult to prohibit their propaganda.

69. Nevertheless, racist violence against foreigners was relatively rare in the Czech Republic, and only eight specific cases had been reported in 1997. Such violence also generated strong feeling among a public still attached to traditions of hospitality. In that connection, it should be recalled that large numbers of aliens requested asylum in the Czech Republic every year.

70. Mr. Yutzis took the Chair.

71. Ms. McDOUGALL thanked the Czech delegation for its detailed replies but requested clarification about one point of concern to her, namely the employment situation of the Roma minority. That minority had been described as having difficulties of adaptation and a low level of motivation, or indeed morality, as a possible explanation of their high rate of unemployment. Coming from a representative of the Czech Republic speaking before the Committee, that description could unfortunately give the impression that it was the Government's belief rather than a judgement made by employers. She certainly hoped that was not the case and that the misunderstanding could be cleared up.

72. Mr. SOMOL (Czech Republic) said that it was not easy to reply in specific terms; the Government was merely noting facts that undeniably existed. The comment was, however, directed more specifically to Mr. Fuchs, who would probably be in a better position to respond.

73. Mr. FUCHS (Czech Republic) recalled that under the former planned-economy system, work had been compulsory and all employers had been required to hire the Roma; since the conversion of the Czech Republic to a free market economy, they could no longer be forced to do so. The level of competence and skill had become an objective criterion that no one could be blamed for applying. The Government was perfectly aware of the problem resulting from that new development and it had launched various pilot projects in the field of employment and was currently analysing the results. He would, however, point out that the problem of unemployment among low-skilled persons was common throughout Europe.

74. Mr. RECHETOV, returning to the point raised by Ms. McDougall, said that he would like to know whether the terms employed by the Czech delegation to describe the Roma appeared in any document and whether it was usual in the

Czech Republic to apply such descriptions to a particular minority. He granted that everyone was entitled to express their own opinions in private, but he did not think that it was acceptable to label a population group in such negative terms before the Committee.

75. Mr. SOMOL (Czech Republic) replied that the case of the Roma in the Czech Republic was quite specific. Other minorities posed fewer problems.

76. Mr. DIACONU (Country Rapporteur) welcomed the fruitful dialogue that had been established with the delegation of the Czech Republic; that exchange had made it possible to shed further light on the problems facing the country. The Czech Government's efforts to implement the Convention at the legislative and institutional levels and to overcome the difficulties of the transition period deserved to be commended and encouraged. Concerning the Roma, the Committee should not accuse the Czechs but readily acknowledge the situation as it stood and help them find acceptable solutions. A first step would be to resolve any remaining problems with regard to citizenship.

77. The Government should also make particular efforts in the field of human rights education. Judges should have compulsory and not optional training in human rights. That educational effort should furthermore be extended to the police force, as well as to the general public.

78. He hoped that, in its next report, the State party would be able to inform the Committee of further progress.

79. The CHAIRMAN announced that the Committee had thus completed its consideration of the initial and second periodic reports of the Czech Republic.

80. The Czech delegation withdrew.

The meeting rose at 1.10 p.m.